

**AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT**  
**CITY COUNCIL MEETING OF: MAY 6, 2009**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ Consent ☒ Discussion

**SUBJECT:**

RQR-33580 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: FRANK SWEENEY - Required Review of a previously approved Special Use Permit (SUP-25031) FOR AN EXISTING HALFWAY HOUSE FOR RECOVERING ALCOHOL AND DRUG ABUSERS WITH APPROVED WAIVERS TO ALLOW A 300-FOOT SEPARATION FROM AN EXISTING GROUP RESIDENTIAL CARE FACILITY WHERE 1,500 FEET IS THE MINIMUM SEPARATION DISTANCE REQUIRED AND TO ALLOW A 6,136 SQUARE-FOOT LOT WHERE 6,500 SQUARE FEET IS THE MINIMUM REQUIRED at 2621 Brady Avenue (APN 139-25-215-079), R-1 (Single Family Residential) Zone, Ward 3 (Reese). Staff recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

6

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

0

City Council Meeting

3

**RECOMMENDATION:**

Staff recommends APPROVAL, subject to conditions.

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. City Council Approval Letter for SUP-25031
5. Support Postcard
6. Submitted after Final Agenda – Protest/Support Postcards

Motion made by GARY REESE to Approve subject to conditions and amending Condition 2 as read for the record:

2. This Special Use Permit (SUP-3128) shall be reviewed at a Public Hearing of the City Council by May 6, 2010.

Passed For: 5; Against: 0; Abstain: 0; Did Not Vote: 1; Excused: 1

LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-RICKI Y. BARLOW); (Excused-DAVID W. STEINMAN)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

**CITY COUNCIL MEETING OF: MAY 6, 2009**

FRANK SWEENEY, 2655 Red Rock Street, owner of the property, stated that three disabled people live in the home, which is no longer being operated as a halfway house. He made some improvements and added some landscaping, but did not install the wall requested by COUNCILMAN REESE because the adjacent owner did not want it. He said the halfway house has been in existence since 1997, which is before the new distance separation requirements were adopted. He requested approval of the variance and explained that he intends to get rid of the house as soon as he takes care of some personal matters.

JOE ESPOSITO, Chairman of the Board of Directors, stated the house is being phased out as a new location more conducive to operating a halfway house is being sought.

DON WALFORD, 520 South 7th Street, appearing on behalf of the Downtown Business Operators Council, sympathized with the difficulties MR. SWEENEY is experiencing. However, he attributed the neighborhood's distress to not only grim economic conditions, but also this halfway house. He reminded the Council that codes exist for the protection of the citizens.

COUNCILMAN REESE opted to allow the use with a one-year review as long as MR. SWEENEY does not take in any more people. MARGO WHEELER, Director of Planning and Development, made an amendment to Condition 2.

See Item 86 for related discussion.

MAYOR GOODMAN declared the Public Hearing closed.

